

W.E. Butler

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Soviet law

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Butterworths' Legal Systems of the World

EDITOR: PROFESSOR W. E. BUTLER

Preface

Butterworths' *Legal Systems of the World* is a series devoted to single-country or, when appropriate, multi-country studies of the principal contemporary legal systems of the world, reflecting a high level of scholarship but suitable for a broad audience. Each study treats briefly the historical development of the respective legal system and its place in the larger family of legal systems or legal tradition in which it originates or by which it has been significantly influenced, the structure and organisation of legal education and the legal profession, the principal institutions involved in the administration of justice and dispute settlement, the sources of law, the constitutional or State system, the basic elements of the principal branches of law, including attention to conflicts of law and foreign relations law, and an analytical bibliography of the principal official gazettes, court reports, and other relevant materials. The studies are designed to serve as a basic reference tool for the particular legal system and to be suitable as primary or supplementary reading for courses in international or comparative law, a resource for practitioners, executives, and government legal advisers engaged in legal transactions with the country concerned, and background for area students and specialists who require an introduction to the legal orders of their area of concern.

In the case of Soviet law, there has been no comprehensive introduction for decades. Harold J. Berman's masterful interpretation of justice in the USSR coincided with the end of the Khrushchev period. The late Edward L. Johnson's introduction to the Soviet legal system, based on public lectures delivered in 1963-65 at the Faculty of Laws, University College London, was intended primarily for those concerned with Soviet affairs who were not trained lawyers and has long since been overtaken by developments in the law.

The present volume presupposes no knowledge of the Russian language. Footnotes have been kept to a minimum in the interest of narrative. Citations are given to legislation only when the enactment concerned is not readily available in English in one of three collections: W. E. Butler *The Soviet Legal System: Legislation and Documentation* (1978), which contains the state of the law just prior to the adoption of the 1977 USSR Constitution; W. E. Butler (ed. and transl.) *Collected Legislation of the USSR and Constituent Union Republics*, a multi-volume

looseleaf service for current legislation published since 1979, updated regularly, and available in libraries of consequence; and W. E. Butler *Basic Documents on the Soviet Legal System* (1983; 2nd edn, 1988), issued in a student edition. All are published by Oceana Publications Inc, Dobbs Ferry, New York. For other references, see chapter 21.

The volume draws upon lectures delivered since 1970 at the Faculty of Laws, University College London, in the first such university course offered in the realm as an LL.B. option, 'Introduction to Socialist Legal Systems'; the LL.M. course presently entitled 'Soviet, East European, and Mongolian Law'; and the M.A. course on 'The Soviet Legal System' offered at the School of Slavonic and East European Studies.

The second edition incorporates the principal changes affecting the text since June 1983, drawing on materials as of 1 March 1988. The chapters on economic law, labour law and criminal law have been significantly expanded, as has the chapter on foreign relations law to take account of the restructuring of foreign economic relations and the introduction of joint venture legislation, and a new chapter has been introduced on the law of taxation. Errors in the first edition that came to my attention have been rectified and the text throughout altered as appropriate to reflect recent developments.

An enormous debt to Harold J. Berman, with whom I have been privileged to study and collaborate, and to John N. Hazard, who has been so supportive over the years, is gratefully acknowledged, together with that owed to dozens of Soviet jurists and institutions with whom in the course of more than thirty-five visits spanning three decades I have had occasion to discuss Soviet law or pursue research.

The transliteration of Russian follows the Library of Congress/British Library System.

March 1988

W. E. Butler

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- BD W. E. Butler *Basic Documents on the Soviet Legal System* (2nd edn, 1988; 1983, Dobbs Ferry, N.Y., Oceana Publications).
- BQ H. J. Berman and J. B. Quigley *Basic Laws on the Structure of the Soviet State* (1969, Cambridge, Mass., Harvard Univ. Press).
- CL W. E. Butler *Collected Legislation of the USSR and Constituent Union Republics* (1979-, Dobbs Ferry, N.Y., Oceana Publications).
- SLS W. E. Butler *The Soviet Legal System: Legislation and Documentation* (1978, Dobbs Ferry, N.Y., Oceana Publications).

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